

DECLARATION OF DEBORAH A. MATTISON

RECEIVED

My name is Deborah A. Mattison and I reside at 514 Lindy Circle, Pell City, Alabama 35128.

I am a citizen of the United States and a resident of the State of Alabama. I am over the age of nineteen (19) and make this Declaration based on facts personally known to me. The following is true and correct to the best of my knowledge:

I am the Attorney for Katrina Warr. Pursuant to Rule 65 of the Federal Rules of Civil Procedure, I have attempted to notify the defendant through Erika Tatum, its representative, of my intent to file a Motion for a Temporary Injunction or, in the alternative, Application for Preliminary Injunction concerning the defendant's use of a "wedge" as a mechanical restraint device on D.B. I have notified Attorney Erika Tatum by letter dated August 28, 2007. A copy of that letter is attached to this Declaration. Additionally, I contacted Attorney Tatum by telephone August 30, 2007.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 30 day of August, 2007.


DEBORAH A. MATTISON

WIGGINS, CHILDS, QUINN & PANTAZIS**A LIMITED LIABILITY COMPANY**

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THE KRESS BUILDING
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 ALLISON W. LOWELL
 *KEIR S. BICKERSTAFFE
*Not Licensed in Alabama

August 28, 2007

Via E-Mail and U.S. Mail

Erika Tatum
 Hill, Hill, Carter, et. al.
 P.O. Box 116
 Montgomery, AL 36101-0116

RE: Katrina Warr v. Montgomery County School District

Dear Erika:

As we have previously explained, we are extremely concerned about the District's continued use of the "wedge" as a mechanical restraint for Devona. The wedge was utilized at least four times last year, with an increase in its usage after the beginning of the hearing. Further, on August 27, 2007, when we requested information as to whether the District has had any consultation and/or recommendation from a person with a Ph.D. in psychology regarding the necessity for using the "wedge," the District refused to answer this question.

I am in the process of drafting a complaint for a temporary restraining order and/or preliminary injunction to prohibit the District from using such restraint, especially given the lack of training to District staff. When I requested that the District cease and desist using the "wedge" on Devona and that it bring in a specialist in autism to design an appropriate program, the District refused stating only that it would develop a behavior management program once Devona begins to attend more inclusive classes. However, until that time, the District was unwilling to discontinue the use of the "wedge." Our experts have told us that the use of the "wedge" is dangerous and potentially life threatening, especially given Devona's seizures. What if she were to experience a seizure during the restraint?

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WIGGINS, CHILDS, QUINN & PANTAZIS

A LIMITED LIABILITY COMPANY

August 28, 2007

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We ask that the District reconsider its refusal to cease and desist utilization of the “wedge.” I hope to hear from you immediately.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Dm', followed by a horizontal line extending to the right.

Deborah A. Mattison

DAM/bl

xc: Ms. Katrina Warr